

PROB 12A
(6/21)

United States District Court
for
District of New Jersey
Report on Individual Under Supervision

Name of Individual Under Supervision: Ladohn Courtney

Cr.: 12-00266-001
PACTS #: 63032

Name of Sentencing Judicial Officer: THE HONORABLE BRIAN R. MARTINOTTI
UNITED STATES DISTRICT JUDGE

Date of Original Sentence: 07/30/2012

Date of Violation Sentence: 9/20/2021

Original Offense: Felon in Possession of a Firearm, in violation of 18 U.S.C. § 922(g)(1), a Grade C Felony

Violation Offense: Alcohol/Narcotic Use; Failure to Comply with DMV Compliance; Association with Criminals/Felons; and Failure to Comply with the Location Monitoring Program

Original Sentence: 54 months' imprisonment, 36 months' supervised release

Violation Sentence: 14 months' custody, 22 months' supervised release

Special Conditions: Special Assessment, Substance Abuse Testing/Treatment, Supporting Dependents, Motor Vehicle Compliance

Type of Supervision: Supervised Release

Date Supervision Commenced: 11/05/2021

NONCOMPLIANCE SUMMARY

The individual under supervision has not complied with the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1

“You must refrain from the illegal possession and use of drugs, including prescription medication not prescribed in your name, and must submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that you must submit to evaluation and treatment, on an outpatient or inpatient basis, as approved by the U.S. Probation Office. You must abide by the rules of any program and must remain in treatment until satisfactorily discharged by the Court. You must alert all medical professionals of any prior substance abuse history, including any prior history of prescription drug abuse. The U.S. Probation Office will supervise your compliance with this condition.”

Courtney was referred to Trinitas Hospital for substance abuse assessment on January 24, 2022. Courtney submitted a urine specimen which tested positive for marijuana, amphetamines, and methamphetamines. Courtney reported he applied for his medicinal marijuana card for pain management and reported a prescription for Oxycodone. On the date of the assessment, Courtney stated he was unable to stay for his assessment. Courtney was rescheduled for his intake for February 1, 2022. The undersigned officer also informed Courtney to present

his initial application for medicinal marijuana card, and until the Court approved his admittance into the state program; he was not to consume marijuana.

On February 1, 2022, the undersigned officer was notified that Courtney failed to report for his intake assessment as Trinitas. The undersigned officer contacted Courtney who stated he thought the appointment was scheduled for February 4, 2022. Courtney's intake appointment was rescheduled at Courtney's request on three more occasion: February 4, 2022; February 10, 2022; and February 17, 2022. Courtney was instructed by treatment staff to present his valid prescription, current prescriptions bottles, and his medicinal marijuana application and card at his assessment.

Due to Courtney being prescribed a controlled substance, Trinitas staff reviewed the New Jersey Prescription Monitoring Program on February 15, 2022. According to the database, Courtney was prescribed the prescription on February 9, 2022; filled the prescription on February 10, 2022; and the prescription was delivered to Courtney on February 10, 2022.

On February 15, 2022, during an unannounced home contact, Courtney informed the undersigned officer he was told by Trinitas staff he was not in need of treatment since he has a prescription. Courtney was informed by the undersigned officer this was not true, and he was further directed to attend his scheduled assessment on February 17, 2022. Courtney reported to the undersigned officer he consumed Oxycodone the prior evening and that morning, as he uses it regularly to manage his pain. A urine specimen was collected, which tested positive for marijuana, and negative for additional illicit substances.

On February 17, 2022, Courtney arrived 30 minutes late to his assessment, and stated he was legally able to use medicinal marijuana. Courtney also failed to bring the requested documents and/or materials the treatment program expressed were necessary for their records. Courtney stated he would leave, and return, with the required materials. He failed to return, despite informing the undersigned officer he was on his way to Trinitas.

On March 4, 2022, an unannounced home visit was conducted. The undersigned officer asked to see Courtney's current prescription bottles for oxycodone. He provided one (1) from January and one (1) from February- both contained four (4) pills each. A urine specimen was collected, was positive for marijuana and alcohol, but tested negative for Oxycodone.

Courtney presented a medicinal marijuana card, with an issued date of February 25, 2022. Courtney was again directed to submit a copy of his medicinal marijuana application. On March 5, 2022, Courtney presented his medicinal marijuana application, which was filed on February 15, 2022.

Courtney's failure to return to treatment to complete his assessment was discussed. Courtney stated he failed to report due to a lack of transportation. Courtney was informed the undersigned officer arranged for the treatment provider to issue a bus pass.

On March 6, 2022, the undersigned officer was informed by Trinitas staff that Courtney's case unsatisfactorily discharged, due to his failure to complete the substance abuse intake. Courtney is not currently engaged in a substance abuse treatment program.

2

The individual under supervision has violated the standard supervision condition which states 'You must work full-time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.'

Courtney has been referred to various re-entry programs, which offer job readiness services, as well as educational/vocational training, job placement opportunities, assistance with identification and other barriers to securing employment. Despite being referred and provided these programs and resources, Courtney has not attended an orientation or secured permanent placement with any of these programs.

On March 17, 2022, Courtney claimed he was collecting Social Security benefits due to his back injury from a previous accident which predates the instant offense. Courtney claimed he cannot work as he was in pain. Courtney was directed to provide a copy of his social security application, which he has failed to do.

Courtney stated to the undersigned officer he is a sound engineer, and he produces music in a studio for music artists. When asked how he is able to work if he is in pain, Courtney stated he is able to sit, which allows him to work. Although requested, Courtney has failed to provide any paystubs or proof of payments and/or contracts with artists in order to substantiate the same.

U.S. Probation Officer Action:

On March 17, 2022, the undersigned officer presented Courtney with a Waiver for Hearing, to include 90 days in a Residential Re-entry Center (RRC) due to his continued non-compliance outlined above and in the court notification, signed by Your Honor on February 8, 2022. Courtney refused to sign the waiver and requested to have a court appearance before Your Honor. Courtney was made aware this waiver was presented to him as an opportunity to receive additional support and resources before initiating violation proceedings.

In lieu of initiating violation proceedings, the Probation Office is respectfully requesting a status conference be scheduled to address our recommendation to modify the conditions of supervision to include RRC placement for 90 days. The undersigned officer believes the RRC will provide Courtney with the necessary structure necessary to assist with securing and maintaining legitimate employment, as well as attend treatment and medical appointments as necessary.

Respectfully submitted,

SUSAN M. SMALLEY, Chief
U.S. Probation Officer


By: ERIN A. DESILVA
U.S. Probation Officer

/ ead

APPROVED:

Elisa Martinez

04/04/22

ELISA MARTINEZ

Date

Supervising U.S. Probation Officer

Enclosed: Previous 12A- Report submitted on February 8, 2022

Please check a box below to indicate the Court's direction regarding action to be taken in this case:

May 24, 2022 at 11:00 am

- ☒ A Status Conference is scheduled for Via Zoom (as recommended by the Probation Office)
- ☐ Submit a Request for Modifying the Conditions or Term of Supervision
- ☐ Submit a Request for Warrant or Summons
- ☐ Other



Signature of Judicial Officer

April 5, 2022

Date